

EX 1003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ASCEND ELEMENTS, INC.,
Petitioner,

v.

DUESENFELD GMBH,
Patent Owner.

Case No. PGR2025-00037

U.S. Patent No. 12,119,463

DECLARATION OF MARC JUZKOW

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A.	Ground 1: Claims 1-3, 8, 10-12 Are Disclosed or Rendered Obvious by Tomioka 54	
1.	Claim 1	54
2.	Claim 2: "The method according to claim 1, wherein: the organic solvent comprises dimethyl carbonate, or ethyl methylcarbonate, or both; and the drying process further continues the drying until the vaporizing removes at least 90 percent by weight of the dimethyl carbonate, or ethyl methylcarbonate, or both, from the electrolyte.	65
3.	Claim 3: "The method according to claim 1, further comprising: capturing and condensing gases created from the vaporizing of organic carbonate in the electrolyte during the drying process.....	66
4.	Claim 8: "The method according to claim 1, wherein: comminuting the used lithium batteries is performed within a container; and the drying is performed within the container."	67

5. Claim 10: "The method according to claim 1, wherein comminuting of the used lithium batteries is configured such that the comminuted material includes components of comminuted material, and at least 90% by weight of the components of the comminuted material have a sieve size that is not more than 50 mm."69

6. Claim 11: "The method according to claim 1, wherein receiving the used lithium-ion batteries further includes receiving used lithium-ion batteries that further comprise carrier foil and binder that binds active material to the carrier foil, and the temperature of the vaporizing pressure-temperature being not more than 80° C., lower than a decomposition temperature of the binder, and lower than the decomposition temperature of the fluorine salt."71

7. Claim 12: "The method according to claim 11, further comprising a high temperature drying of the inactivated comminuted material, the high temperature drying being configured to decompose binder."74

B. Ground 2: Claim 4 Is Rendered Obvious by Tomioka in View of Yosuke 75

1. Claim 4: "The method according to claim 1, further comprising: performing the drying within an interior of a drying device; continuous monitoring, by a controller, of at least one progress parameter that is indicative of a progress of the drying, the at least one progress parameter comprising a pressure in the interior of the drying device or a pressure of a gas flow out of the interior of the drying device drying process, and not terminating the drying process until the progress parameter reaches a pre-determined progress parameter threshold value."75

C. Ground 3: Claims 5 and 9 Rendered Obvious by Tomioka in View of Hayashi 79

1. Claim 5: "The method according to claim 1, wherein the [the] pressure is not more than 30 hPa for at least 50% of a duration of the drying, or the pressure does not exceed 50 hPa during the drying, or both."79

2. Claim 9: "The method according to claim 3 wherein condensing is performed at an ambient pressure, or condensing is performed at a temperature within a temperature range that extends from 0° C. to 50° C., or both." 82



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